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EXAMINER

DAS, CHAMELI

ART UNIT PAPER NUMBER

2122

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8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/734,333

Applicant(s)

SRINIVASAN ET AL.

Examiner

C.DAS

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 and 24-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 and 24-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

1. This action is in response to the amendment filed on 10/28/2003.
2. Claims 5, 21, 22, 24 have been amended.
3. Claims 23 has cancelled.
4. Claims 1-22 and 24-27 have been rejected.

Specification

5. The disclosure is objected to because of the following informalities:

In the specification, pages 1-6 and 13 contain the improper trademark term "Java", "non-Java" and "Jini". The proper trademark term should be capitalized (each letter of the word) or accompanied by a proper trademark symbol, such as TM or ® following the word wherever it appears in the specification, as per M.P.E.P 608.01 (v).

Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

Claims 1-22, 24-27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per Claims 1, 4, 6, 12-16, 19, 20, 22, 26-27 contain the trademark/trade name "JAVA". When a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112 second paragraph. See *Ex parte Simpson*, 218 USPQ

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1020 (Bd. App.1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name. In the present case, the trademark/trade name is used to identify/describe object and , accordingly, the identification/description is indefinite.

As per Claims 2, 10, 11,17-19, 21, 26 contain the trademark/trade name "JINI". When a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112 second paragraph. See Ex parte Simpson, 218 USPQ 1020 (Bd. App.1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name. In the present case, the trademark/trade name is used to identify/describe broker and , accordingly, the identification/description is indefinite.

Claims 3, 5, 7-9 are the dependent claims of the above claims and recite the same limitations.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1, 3, 4, 9 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alcorn et al (Alcorn), US 6,263,498 and further in view of Nevarez et al (Nevarez), US 6,609,158

As per claim 1, Alcorn discloses:

- ***obtaining a non java object*** (Alcorn, col 13 lines 30-32, The program to be modified may be for example, a COBOL program or any other ***non-Java object***)
- ***converting said non java object into a wrapped object which has certain attributes of a Java object*** (Alcorn, col 13 lines 30-44, " the program to be modified ... Java object that can be morphed", col 13 lines 48-52, "***Non Java objects*** or programs can be modified by adding an interface that allows the object or program to be modified using dips"), col 5 lines 12-18, "A program may be wrapped to turn the program... dippable object") and col 11 lines 21-54, "providing a interface to ***a non-object oriented program ... Java objects*** or components").

Alcorn discloses appropriate information is made available for connection between client object and other client side components that may be present of the client

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computer (col 5 lines 39-43), these information of the client side components are the legacy program which is wrapped to turn the program into a JAVA compatible object using JAVA native interface (col 5 lines 12-16). It clearly indicates that the information about wrapped JAVA objects are available. The distribution is made by the broker object is shown in col 5 lines 49-55. ***Alcorn does not specifically disclose that publishing the information.*** However, Nevarez discloses publishing the information of the wrapped object is shown in ABSTRACT and col 4 lines 15-27, "The invention generalizes the idea of a bridge... registered with the system").

Therefore, it would have been obvious to one of the ordinary skill in the art at the time of invention was made to incorporate the teaching of Nevarez into the method of Alcorn. The modification would be obvious because one of the ordinary skill in the art would be motivated to allow other workstations in a network to subscribe to those components and then access them remotely through OLE.

As per claim 3, Alcorn discloses: said wrapped object is formed with a wrapper (col 11 lines 33-55 and col 12 lines 9-14).

As per claim 4, Alcorn discloses: converting comprises inspecting said non java object ... non java object (col 13 lines 25-50).

As per claim 22, Alcorn discloses:

- obtain a non Java object (Alcorn, col 13 lines 30-32)

- convert said non Java object into a wrapped object which has certain attributes of a Java object (Alcorn, col 13 lines 30-44, col 13 lines 48-52, col 5 lines 12-18 and col 11 lines 21-54)

- provide said information in a way which allows said java object to be provided to a broker (col 5 lines 39-43, "Various Java bean design patterns for events, methods, and properties are used **so that the appropriate information is made available** for connection between client object 400 and other client side component"), these information of the client side components are the legacy program which is wrapped to turn the program into a java compatible object using native interface (col 5 lines 12-16), java object to be provided to a broker is shown in col 5 lines 48-57).

Alcorn does not specifically disclose searching for functionality. However, Nevarez discloses searching the functionality (Nevarez, col 13 lines 16-25). The modification would be obvious because one of the ordinary skill in the art would be motivated to find the appropriate object in the system.

Nevarez discloses the system provides automatic bridging and automatically generating object interface (see col 5 lines 8-11 and col 7 lines 17-21). Nevarez does not specifically disclose automatic search. Official notice is taken for automatic search. The modification would be obvious because one of the ordinary skill in the art would be motivated to reduce or eliminate human intervention to complete a task.

As per claim 9, Alcorn discloses updating information in broker (Alcorn, col 5 lines 60-64). Alcorn does not specifically disclose automatic updating. Official notice is taken for automatic update. The modification would be obvious because one of the ordinary skill in the art would be motivated to reduce or eliminate human intervention to complete a task.

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9. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alcorn et al (Alcorn), US 6,263,498 and further in view of Nevarez et al (Nevarez), US 6,609,158 and Lin et al (Lin), US 6,675,159

As per claim 5 and 6, Alcorn does not specifically disclose searching the object. However, Nevarez discloses searching the object (Nevarez, col 13 lines 16-25). The modification would be obvious because one of the ordinary skill in the art would be motivated to find the appropriate object in the system.

Neither Alcorn nor Nevarez disclose searching by keywords. However, Lin discloses searching by keywords (Lin, col 2 lines 37-42, "**Key-word based search** engines generally compute document scores based upon the frequency of the term within the document, where more mentions yield a higher score, as well as its position, earlier mentions leading to a higher score") and search by broker (Lin, col 9 lines 40-45, Application-level connections may use the concept based **search engine through standards such as CORBA** or Java RMI"). The modification would be obvious because keyword based search engines generally compute document scores based upon the frequency of the term within the document, where more mentions yield a higher score, as well as its position, earlier mentions leading to a higher score.

As per claim 7, Alcorn discloses: at least one aspect includes at least one of methods of functionality (col 5 lines 5-18).

As per claim 12, Alcorn discloses: storing a non Java object (col 4 lines 58-62).

For the rest of the limitation see the rejection of claim 1 above and further Alcorn discloses a bridge portion (Alcorn, col 4 lines 1-45).

As per claim 13, Alcorn discloses: a broker for Java object ... communication link (Alcorn, col 5 lines 39-67, col 4 lines 1-30).

As per claim 14, Alcorn discloses: bridge portion ... said broker (col 5 lines 20-67, col 4 lines 1-45, col 6 lines 53-67).

As per claims 15, Alcorn discloses: aspects includes ... non java object (col 6 lines 55-67).

As per claim 24, Neither Alcorn nor Nevarez disclose obtaining keywords. However, Lin discloses searching by keywords (Lin, col 2 lines 37-42, "Key-word based search engines generally compute document scores based upon the frequency of the term within the document, where more mentions yield a higher score, as well as its position, earlier mentions leading to a higher score") and search by broker (Lin, col 9 lines 40-45, Application-level connections may use the concept based search engine through standards such as CORBA or Java RMI"). The modification would be obvious because keyword based search engines generally compute document scores based upon the frequency of the term within the document, where more mentions yield a higher score, as well as its position, earlier mentions leading to a higher score.

Neither Alcorn, Nevarez nor Lin disclose automatically obtaining keywords. Official notice is taken for automatic search. The modification would be obvious

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because one of the ordinary skill in the art would be motivated to reduce or eliminate human intervention to complete a task.

As per claim 25, Alcorn discloses: adding dip and customize through graphical user interface (Alcorn, col 5 lines 14-19 and Alcorn, col 6 lines 30-45).

Alcorn does not specifically disclose keywords. However, Lin discloses keywords (Lin, col 2 lines 37-42, "Key-word based search engines generally compute document scores based upon the frequency of the term within the document, where more mentions yield a higher score, as well as its position, earlier mentions leading to a higher score"). The modification would be obvious because keyword based search engines generally compute document scores based upon the frequency of the term within the document, where more mentions yield a higher score, as well as its position, earlier mentions leading to a higher score.

10. Claims 2, 10, 17 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alcorn et al, US 6,263,498 and further in view of Graham et al, US 6,594,700 (Graham).

As per claims 2 and 17, Alcorn does not specifically disclose that broker is a Jini broker. However, **Graham discloses that the broker is a Jini broker** (Graham, col 7 lines 35-38, "In the case of **brokering** a UpnP-based service to **a Jini** client ... requesting client").

Therefore, it would have been obvious to one of the ordinary skill in the art to incorporate the teaching of Graham to the method of Alcorn. The modification would be obvious because Jini is based on the concept of creating a "federation of self" configuring devices capable of transparently exchanging code when necessary to simplify interactions between network devices.

For claim 26, see the rejection of claim 1 and 2 above.

As per claim 10, Alcorn discloses: updates broker if the service is still up and running (Alcorn, col 5 lines 20-64, col 6 lines 2-52). Alcorn does not specifically disclose automatically updating. Official notice is taken in automatically updating. The modification would be obvious because one of the ordinary skill in the art would be motivated to reduce or eliminate human intervention to complete a task.

11. Claims 8, 11, 18, 19, 21 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alcorn et al, US 6,263,498 and further in view of Graham et al, US 6,594,700 (Graham) and Herrendoerfer et al (Herrendoerfer), US 6,473,759

As per claim 8, neither Alcorn nor Graham disclose that proxy code. **However, Gerrendoerfer discloses that proxy code** (col 2 lines 20-26). The modification would be obvious because the proxy protects network identities while still providing access to the Internet.

For claim 19 see the rejection of claim 1 and 9 above.

As per claims 11, 18 and 21, Alcorn discloses: the wrapped object (Alcorn, col 12 lines 9-13). Alcorn does not specifically disclose Jini. However, Graham discloses

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that the broker is a Jini broker (Graham, col 7 lines 35-38, "In the case of brokering a UpnP-based service to a Jini client ... requesting client").

Therefore, it would have been obvious to one of the ordinary skill in the art to incorporate the teaching of Graham to the method of Alcorn. The modification would be obvious because Jini is based on the concept of creating a "federation" of self configuring devices capable of transparently exchanging code when necessary to simplify interactions between network devices.

Neither Alcorn nor Graham disclose that proxy code. However, Gerrendoerfer discloses that proxy code (col 2 lines 20-26). The modification would be obvious because the proxy protects network identities while still providing access to the Internet.

As per claim 27, Alcorn discloses wrapping said Java object to look like a Java (Alcorn col 5 lines 5-20). Alcorn does not disclose proxy code. However, Gerrendoerfer discloses that proxy code (col 2 lines 20-26). The modification would be obvious because the proxy protects network identities while still providing access to the Internet.

12. ***Claims 16 and 20 are*** rejected under 35 U.S.C. 103(a) as being unpatentable over Alcorn et al, US 6,263,498 and further in view of Fujimori, US 5,995,506.

As per claims 16 and 20, Alcorn discloses bridge and stores a java object (col 4 lines 1-20 and col 4 lines 55-62). Alcorn does not specifically disclose attributes to be updated at specified intervals. However Fujimori discloses that attributes to be updated at specified intervals (Fujimori, col 9 lines 23-27). The modification would be obvious

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because the transmission unit transmits the attribute information to the receiving unit only when the demand for transmission of the attribute information is received.

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chameli Das whose telephone number is 703-305-1339.

The examiner can normally be reached on Monday-Friday from 8:00 A.M. to 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor Tuan Dam can be reached at 703-305-4552. The fax number for this group are:

(703) 746-7239 (official fax), (703) 746-7240 (non-official/draft), (703)746-7238 (after final).

An inquiry of general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is 703-305-9600.

Chameli C. Das

Chameli C. Das

Patent Examiner

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1/8/04